

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

ANDREW J. KAMPURIES; CULEBRA
ISLAND MUNICIPALITY; MAYOR
EDWIN JUNTO ROMERO

Civil Action No. 23-01177-SCC

Plaintiffs

v.

SVI INVESTMENTS II, LLC; DANIEL W.
SHELLEY; JOHN DOE 1-10

Defendants

MOTION FOR ENTRY OF JUDGMENT

TO THE HONORABLE COURT:

COME NOW Defendants, SVI Investment II, LLC, and Daniel W. Shelley (the "Defendants"), through their undersigned counsel, and respectfully state and request:

1. On April 12, 2023, Andrew J. Kampuries ("Kampuries"), pro se, on his behalf and purportedly on behalf of the "Municipality of Culebra Island" and its Mayor "Edwin Junto Romero", whose correct name is Edilberto Romero Llovet, filed the complaint in the captioned case against the Defendants sustaining that the Court has jurisdiction under 28 U.S.C. § 1331, by claiming to be "a resident outside of this district with an address of "Address Line 1, Address Line 2" which he doesn't state. Kampuries is not an attorney.

2. On September 1, 2023, Defendants voluntarily submitted themselves to the jurisdiction of the Court by filing a motion to dismiss or for summary judgment (the "Motion") (Docket No. 5), which is pending and has not been addressed by Kampuries as to its merits in Kampuries' memorandums of September 12 and 27, 2023 (Docket Nos. 6 and 7), causing the filing by Defendants on October 2, 2023 of a motion to strike and for entry of judgment.

3. In further support of the Motion regarding Kampuries' improper appearance on behalf of third parties, including the Mayor of Culebra, Defendants submit that Kampuries, a non-lawyer, improperly cannot appear on behalf of the Mayor of Culebra and thus on behalf the Municipality of Culebra, with capacity to sue or be sued, 21 LPRA § 7013(b), who must be represented by counsel.

4. Although 28 U.S.C. § 1654 permits persons to proceed pro se, this provision does not allow unlicensed lay people to represent other pro se litigants. *Cohen v. Attorney Gen. of Massachusetts*, 2011 U.S. Dist. LEXIS 120336, 2011 WL 5008088, at *7 (D. Mass. Oct. 18, 2011) (citing *Feliciano v. DuBois*, 846 F. Supp. 1033, 1039 (D. Mass. 1994); *Eagle Assocs. v. Bank of Montreal*, 926 F.2d 1305, 1308 (2d Cir. 1991). See also Local District Court Rule 83A(h) ("A person who is not a member of the bar of this court, and who is not otherwise eligible for admission pursuant to these rules, will only be allowed to appear and practice before the court pro se, that is, on his or her own behalf").

5. In *Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 199-206, 113 S. Ct. 716, 121 L. Ed. 2d 656 (1993), the Supreme Court recognized the majority rule that prohibits corporations, partnerships and association from appearing in federal court "otherwise than through a licensed attorney".

6. The Court cannot continue to allow Kampuries to unbridled file irrelevant, improper, and confusing pleadings, causing expenses and attorney's fees on Defendants, and unduly wasting the Court's resources.

WHEREFORE, it is respectfully that the Motion be granted.

CERTIFICATE OF SERVICE: I hereby certify that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all CM/ECF participants and to Andrew J. Kampuries to his mailing address at 3 Palm Dr., Windorstocks, CT. 06096 and to his e-mail address of culebrakid212@gmail.com.

San Juan, Puerto Rico, this 5th day of October 2023.

s/CHARLES A. CUPRILL-HERNÁNDEZ
USDC-PR 114312

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